



Michelle Mahony

Michelle is Board certified in labor and employment law by the Texas Board of Legal Specialization and is licensed to practice law in Texas and Arkansas. She has more than ten years of experience representing management in all areas of labor and employment law and has served as lead counsel in proceedings in state and federal court, before numerous administrative agencies and in arbitration. Michelle regularly counsels employers in making decisions affecting the workplace and the employment relationship, with special emphasis on discrimination, retaliation, wage and hour and leave-related issues. She also assists employers in developing sound personnel policies and frequently advises both management and executive-level employees on employment and independent contractor agreements as well as related compensation, severance and non-competition matters.



Representative Experience

- Defended employers in actions resulting in favorable jury verdicts against claims of age discrimination, disability discrimination, intentional infliction of emotional distress, breach of contract and worker's compensation retaliation.
- Obtained dismissal or summary judgment in numerous lawsuits and arbitrations in Texas and other states involving allegations of discrimination (race, gender, age, national origin, disability), sexual and racial harassment, retaliation (Title VII, Sarbanes-Oxley, False Claims Act, worker's compensation), defamation, ERISA violations, FMLA violations, intentional infliction of emotional distress, breach of contract and fraud.
- Represented regional airline and large manufacturing company in labor arbitrations involving issues of contract interpretation and just cause discipline and termination.
- Represented, as part of litigation team, large manufacturing client in connection with class-action employment discrimination lawsuit involving issues of disparate treatment and disparate impact.
- Successfully represented restaurant chain and large manufacturing company in collective action under the Fair Labor Standards Act and before the United States Department of Labor.
- Advised employers on office closures and mass layoffs in Texas and other states, including drafting WARN notices and severance agreements, reviewing employment agreements and counseling employers on enforceability of non-competition agreements.
- Successfully represented both small and large employers before the Equal Employment Opportunity Commission throughout the United States in obtaining dismissal of employee charges of discrimination.
- Conducted management training on all aspects of labor and employment law and handled numerous workplace investigations involving allegations of failure to promote, harassment, and employee misconduct, among others.

- Regularly counseled both large and small employers on employee handbooks, policies, and procedures, as well as a wide range of workplace issues, including hiring, leaves of absences, worker's compensation, unemployment compensation, layoffs, plant closings (WARN Act), wage and hour compliance and discharge, among others.

Professional Background and Activities

- Attorney, Mitchell, Williams, Selig, Gates & Woodyard, PLLC, Little Rock, Arkansas, Litigation Section, 2004-2006.
- Attorney, Vinson & Elkins, Houston, Texas, Employment Litigation and Labor Section, 1999-2004.
- Law Clerk to the Honorable Ewing Werlein, Jr., United States District Court for the Southern District of Texas, 1997-1999.
- J.D., with honors, University of Texas School of Law, 1997 (Honors: Order of the Coif).
- M.A., Economics, Northwestern University, 1992 (Honors: University Fellowship Recipient).
- B.A., summa cum laude, Economics/Mathematics, Vanderbilt University, 1988 (Honors: Phi Beta Kappa).
- Contributor: Age Discrimination Section of 4th Edition of Lindemann and Grossman's Employment Discrimination.
- Speaker or Moderator: "WBEA Meet the Pros Forum - Human Resources Panel," March 2008; "FMLA: Handling the Tough Issues," July 2007; "Advanced Topics in the Family And Medical Leave Act In Arkansas," June 2006; "Disciplining Public Employees," July 2005.
- Author: Michelle Mahony, "The Future Viability of Batson v. Kentucky and the Practical Implications of Purkett v. Elem," THE REVIEW OF LITIGATION, Vol. 16, No. 1, Winter Issue 1997; John J. Siegfried and Michelle Mahony, "The First Sherman Act Case: Jellico Mountain Coal, 1891," THE ANTITRUST BULLETIN, Winter Issue 1990.
- Admitted to Texas Bar, 1997; Arkansas Bar, 1999; United States Court of Appeals for the Fifth Circuit, 2000; United States District Court, Southern and Eastern Districts of Texas, 1999; United States District Court, Eastern and Western Districts of Arkansas, 2000.
- Board Member, Women's Business Enterprise Alliance, Houston, Texas.